



February 16, 2007

HOUSE BILL No. 1192

DIGEST OF HB 1192 (Updated February 14, 2007 12:45 pm - DI 69)

Citations Affected: IC 13-23.

Synopsis: Notice of underground storage tank releases. Requires the department of environmental management (department) to provide notice of a release from, a spill from, or an overfill of an underground storage tank system to the county health officer of each county in which the release, spill, or overfill occurred. Requires a county health officer that receives notice from the department to: (1) publish notice of the release, spill, or overfill in a newspaper of general circulation in the county health officer's county; and (2) provide any other notice of the release, spill, or overfill the county health officer considers necessary or appropriate.

Effective: July 1, 2007.

Ulmer, Hoy, Dvorak

January 11, 2007, read first time and referred to Committee on Environmental Affairs.
February 15, 2007, amended, reported — Do Pass.

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HB 1192—LS 6014/DI 52+



February 16, 2007

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

HOUSE BILL No. 1192

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 13-23-16 IS ADDED TO THE INDIANA CODE
2 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2007]:

4 **Chapter 16. Notice of Release, Spill, or Overfill**

5 **Sec. 1. A citation in this chapter to a rule refers to the rule as in**
6 **effect on January 1, 2007.**

7 **Sec. 2. If the department receives a report concerning:**

8 **(1) the discovery of released regulated substances at an**
9 **underground storage tank site or in the surrounding area**
10 **under 329 IAC 9-4-1(1); or**

11 **(2) a spill or overfill under 329 IAC 9-4-4(a);**

12 **the department shall, not more than seven (7) days after receiving**
13 **the report, provide notice of the release, spill, or overfill to the**
14 **county health officer of each county in which the release, spill, or**
15 **overfill occurred.**

16 **Sec. 3. Not more than seven (7) days after receiving a notice**
17 **from the department under section 2 of this chapter, a county**

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- 1 health officer shall do the following:
- 2 (1) Publish notice of the release, spill, or overfill in a
- 3 newspaper of general circulation in the county health officer's
- 4 county.
- 5 (2) Provide any other notice of the release, spill, or overfill the
- 6 county health officer considers necessary or appropriate.
- 7 Sec. 4. Notice provided by a county health officer under section
- 8 3 of this chapter must include:
- 9 (1) the same information reported to the department under
- 10 329 IAC 9-4-1(1) or 329 IAC 9-4-4(a); and
- 11 (2) any other information the county health officer considers
- 12 necessary or appropriate.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Environmental Affairs, to which was referred House Bill 1192, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Page 2, delete lines 1 through 2.

Page 2, line 6, delete "to Property Owners" and insert **"of Release, Spill, or Overfill"**.

Page 2, line 9, delete "This chapter applies to a person required to report:" and insert **"If the department receives a report concerning:"**.

Page 2, line 13, delete "." and insert";".

Page 2, delete lines 14 through 35, begin a new line blocked left and insert:

"the department shall, not more than seven (7) days after receiving the report, provide notice of the release, spill, or overfill to the county health officer of each county in which the release, spill, or overfill occurred.

Sec. 3. Not more than seven (7) days after receiving a notice from the department under section 2 of this chapter, a county health officer shall do the following:

(1) Publish notice of the release, spill, or overfill in a newspaper of general circulation in the county health officer's county.

(2) Provide any other notice of the release, spill, or overfill the county health officer considers necessary or appropriate.

Sec. 4. Notice provided by a county health officer under section 3 of this chapter must include:

(1) the same information reported to the department under 329 IAC 9-4-1(1) or 329 IAC 9-4-4(a); and

(2) any other information the county health officer considers necessary or appropriate."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1192 as introduced.)

DVORAK, Chair

Committee Vote: yeas 9, nays 0.

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